

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

**AUG 19 2015**

DAVID J. MALAND, CLERK  
BY  
DEPUTY \_\_\_\_\_

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

UNITED STATES OF AMERICA

§

V.

§

§ CRIMINAL NO. 6:15CR 52

§ JUDGE MHS / KNM

§

DEVETRICK TRAMEL JOHNSON

**INDICTMENT**

THE UNITED STATES GRAND JURY CHARGES:

**COUNT ONE**

Violation: 21 U.S.C. § 841(a)(1)  
(Possession with intent to distribute marijuana, a  
Schedule I controlled substance)

On or about August 3, 2015, in the Eastern District of Texas, the defendant,  
**Devetrick Tramel Johnson**, did knowingly and intentionally possess with intent to  
distribute approximately 900 grams of marijuana, a Schedule I controlled substance,

In violation of 21 U.S.C. § 841 (a)(1).

**COUNT TWO**

Violation: 21 U.S.C. § 841(a)(1)  
(Possession with intent to distribute ecstasy, a  
Schedule I controlled substance)

On or about August 3, 2015, in the Eastern District of Texas, the defendant,  
**Devetrick Tramel Johnson**, did knowingly and intentionally possess with intent to  
distribute approximately 49 grams of ecstasy, a Schedule I controlled substance,

In violation of 21 U.S.C. § 841 (a)(1).

**COUNT THREE**

Violation: 21 U.S.C. § 841(a)(1)  
(Possession with intent to distribute  
hydrocodone, a Schedule II controlled  
substance)

On or about August 3, 2015, in the Eastern District of Texas, the defendant,  
**Devetrick Tramel Johnson**, did knowingly and intentionally possess with intent to  
distribute approximately 224 grams of hydrocodone, a Schedule II controlled substance,

In violation of 21 U.S.C. § 841 (a)(1).

**COUNT FOUR**

Violation: 18 U.S.C. §§ 922(g)(1) and 924(a)(2)  
(Felon in Possession of a Firearm and  
Ammunition)

On or about August 3, 2015, in the Eastern District of Texas, the defendant,  
**Devetrick Tramel Johnson**, having been convicted of an offense punishable by a term of  
imprisonment exceeding one year, specifically:

Possession with Intent to Distribute Cocaine Base, Case Number 6:08CR65(03), in  
the United States District Court, Eastern District of Texas, on February 10, 2009,

did knowingly and intentionally possess a firearm, to wit:

1. Glock, model 26, 9mm pistol, serial number CAU927US
2. Norinco, MAK90 Sporter, 7.62x39 rifle, serial number 9391302
3. Norinco, MAK90 Sporter, 7.62x39 rifle, serial number 94145126,

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

**COUNT FIVE**

Violation: 18 U.S.C. § 924(c)  
(Use, carrying, and possession of a firearm  
during and in furtherance of a drug trafficking  
crime)

On or about August 3, 2015, in the Eastern District of Texas, **Devetrick Tramel Johnson**, the defendant herein, did knowingly and intentionally use, carry, and possess a  
firearm during and in relation to a drug trafficking crime for which he may be prosecuted  
in a court of the United States, that is possession with intent to distribute approximately  
two pounds of marijuana, a Schedule II controlled substance, in violation of 21 U.S.C. §

841(a)(1), and in furtherance of said crime possessed: a Glock, model 26, 9mm pistol, serial number CAU927US,

In violation of 18 U.S.C. § 924(c)(1)(B).

**NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE**

**Pursuant to 21 U.S.C. § 853, 18 U.S.C. § 924(d) and 28 U.S.C. § 2461**

As the result of committing one or more of the foregoing offenses alleged in this indictment, the defendant herein shall forfeit to the United States pursuant to 21 U.S.C. § 853, 18 U.S.C. § 924(d) and 28 U.S.C. § 2461:

1. any property constituting, or derived from, and proceeds the defendant obtained, directly or indirectly, as the result of such violations;
2. any of the defendant's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation, and/or,
3. any and all firearms, ammunition and accessories seized from the defendant, including but not limited to the following:

**FIREARMS/AMMUNITION:**

1. Glock, model 26, 9mm pistol, serial number CAU927US
2. Norinco, MAK90 Sporter, 7.62x39 rifle, serial number 9391302
3. Norinco, MAK90 Sporter, 7.62x39 rifle, serial number 94145126, together with all ammunition

**U.S. CURRENCY:**

\$4,000.00 U.S. currency

**CASH PROCEEDS:**

\$10,000.00 in United States currency and all interest and proceeds traceable thereto, in that such sum in aggregate is proceeds obtained directly or indirectly as a result of the commission of the aforesaid violations.

### **Substitute Assets**

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant -

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with a third person;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property, including but not limited to all property, both real and personal owned by the defendant.

By virtue of the commission of the offenses alleged in this indictment, any and all interest the defendants have in the above-described property is vested in the United States and hereby forfeited to the United States pursuant to 21 U.S.C. § 853 and 28 U.S.C. § 2461.

A TRUE BILL

Bk  
GRAND JURY FOREPERSON

JOHN M. BALES  
UNITED STATES ATTORNEY



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8-19-2015  
Date



**COUNT FOUR**

Violation: 18 U.S.C. §§ 922(g)(1) and 924(a)(2) (Felon in possession of a firearm and ammunition)

Penalty: Imprisonment for a term of not more than 10 years, a fine not to exceed \$250,000, or both. A term of supervised release of not more than 3 years in addition to such term of imprisonment.

Special Assessment: \$100.00

**COUNT FIVE**

Violation: 18 U.S.C. § 924(c) (Use, carrying and possession of a firearm during and in furtherance of a drug trafficking crime)

Penalty: Imprisonment for a term of not less than five (5) years nor more than life, a fine not to exceed \$250,000, or both; a term of supervised release of not more than five (5) years in addition to such term of imprisonment.

Special Assessment: \$100.00